P23666.A05

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Stephen Mark MUELLER et al.	Group Art Unit : 2155
Appl. No.:	10/628,248	Examiner : B. R. Bruckart
Filed:	July 29, 2003	Confirmation No. : 5445
For:	PRESENCE ENHANCED TELEPHONY SERVICE ARCHITECTURE	

APPEAL BRIEF UNDER 37 C.F.R. §41.37

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Appeal Brief - Patents
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

This appeal is from the rejection of claims 1-7 and 9-21, as set forth in the Final Office Action of July 26, 2007. A Notice of Appeal was filed on September 26, 2007 in response to the Final Office Action of July 26, 2007. A Pre-Appeal Brief Request for Review was filed on September 26, 2007. A Notice of Panel Decision from Pre-Appeal Brief Review was issued on November 19, 2007. The (one-month) period for filing an Appeal Brief, having been set to expire on December 19, 2007, has been extended by the Request for a (one-month) Extension of Time filed concurrently herewith to expire on January 22, 2008. The requisite fee for filing an Appeal Brief under 37 C.F.R. §41.20(b)(2) is submitted herewith.

However, if for any reason the necessary fee is not associated with this file or the attached fee is inadequate, the Commissioner is authorized to charge the fee for the Appeal Brief and any necessary extension of time fees to Deposit Account No. 19-0089.

(1) REAL PARTY IN INTEREST

The real party in interest is AT&T Knowledge Ventures, L.P., as established by a Change of Name filed in the U.S. Patent and Trademark Office on January 8, 2008, and based on an Assignment recorded in the U.S. Patent and Trademark Office on April 8, 2004, at Reel 015193 and Frame 0245.

(2) RELATED APPEALS AND INTERFERENCES

No related appeals and/or interferences are pending.

(3) STATUS OF THE CLAIMS

Claims 1-7 and 9-21, all of the claims pending in this application, stand finally rejected and are the subject of this appeal. Appellants appeal the final rejection of claims 1-7 and 9-21.[1] A copy of claims 1-7 and 9-21 is attached as an Appendix to this brief.

[1] Applicants note that the Official Action refers to claim "22" which appears to be a typographical error, as claim 21 is the highest-numbered claim presently pending in the above-captioned application.

(4) STATUS OF THE AMENDMENTS

The Amendment that was filed on June 26, 2007 has been entered.

(5) SUMMARY OF THE CLAIMED SUBJECT MATTER

Initially, Appellants note that the following descriptions are made with respect to the independent claims and include references to particular parts of the specification. As such, the following are merely exemplary and are not a surrender of other aspects of the present invention that are also enabled by the present specification as well as those that are directed to equivalent structures or methods.

Independent Claim 1

Independent claim 1 recites a system for providing a presence component in a telecommunications network in which a session to a session terminator is requested by a session initiator upon receiving an instruction from a user, the system comprising: a presence server configured to receive a request for presence information from a requestor, which is configured to receive a session request from the session initiator and to generate the request for presence information, and to process the request by comparing the session initiator's identity to preferences of the session terminator and sending a preferred treatment to the requestor, wherein the session is initiated based upon the preferred treatment.

In this regard, exemplary embodiments of the present specification are shown in FIGS. 1 and 4, and disclosed at page 6, lines 6-15 and page 10, line 22 – page 12, line 14. The system provides a presence component in a telecommunications network (Figs. 1 and 4) in which a session to a session terminator (12) is requested by a session initiator (10) upon receiving an instruction from a user. The system (Fig. 4) includes a presence server (Fig. 4 – presence server) configured to receive a request for presence information from a requestor (Fig. 4 - service logic), which is configured to receive a session request from the session initiator (10) and to generate the request for presence information. The presence server (Fig. 4 – presence server) processes the request by comparing (Fig. 4 –evaluate) the session initiator's (10) identity to preferences of the session terminator (12) and sending a preferred treatment (Fig. 4 – preferred treatment) to the requestor (Fig. 4 - service logic). The session is initiated (Fig. 4 – INTIATE CONVERSATION) based upon the preferred treatment (Fig. 4 – preferred treatment).

Independent Claim 10

Independent claim 10 recites a system for providing a presence component in a public switched telephone network, the system comprising: a service control point that receives a query from a service switching point in response to a call origination from a calling party to a called party, the query identifying the calling party and the called party; and a presence server that receives a request for presence information from the service control point, the request identifying the calling party and the called party, the presence server processing the request by comparing the calling party identity to preferences of the called party and returning a preferred treatment to the

service control point, wherein the service control point instructs the service switching point to establish the call when the preferred treatment indicates that the called party will accept the call.

In this regard, exemplary embodiments of the present specification are shown in Figs. 1 and 5, and disclosed at page 6, lines 6-15 and page 12, line 15 – page 13, line 25. A system for providing a presence component in a public switched telephone network (Figs. 1 and 5), the system includes a service control point (Fig. 5 – SCP/Gateway) that receives a query (Fig. 5 – calling) from a service switching point (Fig. 5 – SSP) in response to a call origination from a calling party (Calling Terminal) to a called party (Calling Terminal), the query (Fig. 5 – calling) identifying the calling party (10) and the called party (12); and a presence server (Fig. 5 – Presence Server) that receives a request for presence information (Fig. 5 – SIMPLE_query) from the service control point (Fig. 5 – SCP/Gateway), the request (Fig. 5 – SIMPLE_query) identifying the calling party (10) and the called party (12), the presence server (Fig. 5 – Presence Server) processing the request (Fig. 5 – SIMPLE_query) by comparing (Fig. 5 – evaluate) the calling party (10) identity to preferences of the called party (12) and returning a preferred treatment (Fig. 5 – preferred treatment) to the service control point (Fig. 5 – SCP/Gateway), wherein the service control point (SCP/Gateway) instructs the service switching point (Fig. 5 – SSP) to establish the call when the preferred treatment (Fig. 5 – preferred treatment) indicates that the called party (12) will accept the call.

Independent Claim 13

Independent claim 13 recites a system for providing a presence component in a wireless telecommunications network in which a session is requested by a mobile device, the system comprising: a requestor configured to receive a session request from the mobile device and to generate a request for presence information; and a presence server configured to receive the request for presence information and to process the request by comparing the mobile device's identity to preferences of a session terminator and sending session set up information to the requestor to set up the session, wherein the session is initiated based upon the session set up information.

In this regard, exemplary embodiments of the present specification are shown in Figs. 1 and 8, and disclosed at page 6, lines 6-15 and page 15, line 21 – page 17, line 6. A system for providing a presence component in a wireless telecommunications network (Fig. 8) in which a session is requested by a mobile device (session initiator - SI). The system includes a requestor (Fig. 8 – service logic SL) configured to receive a session request (Fig. 8 – initiate conversation) from the mobile device (session initiator - SI) and to generate a request (Fig. 8 – SIMPLE_query) for presence information; and a presence server (Fig. 8 – presence server PS) configured to receive the request (Fig. 8 – SIMPLE_query) for presence information and to process the request (Fig. 8 – SIMPLE_query) by comparing (Fig. 8 – evaluate) the mobile device's (session initiator - SI) identity to preferences of a session terminator (session terminator

- ST) and sending session set up information (Fig. 8 – session setup) to the requestor to set up the session. The session is initiated based upon the session set up information (Fig. 8 – session setup).

Independent Claim 16

Independent claim 16 recites a method for incorporating presence into a telecommunications environment, the method comprising: receiving a session request from a session initiator in response to a user instruction; generating a request for presence information in response to the received session request; sending the request for presence information to a presence platform to obtain presence information for another telecommunications user; receiving preferred treatment information from the presence platform; and initiating a telecommunications session with the other user in response to the obtained presence information and the preferred treatment information.

In this regard, exemplary embodiments of the present specification are shown in FIGS. 1 and 4, and disclosed at page 6, lines 6-15 and page 10, line 22 – page 12, line 14. A method incorporates a presence into a telecommunications environment (Figs. 1 and 4). The method includes receiving a session request (Fig. 4 –INITIATE CONVERSATION) from a session initiator (10) in response to a user instruction. A request for presence information (Fig. 4 – SIMPLE_query) is generated in response to the received session request (Fig. 4 –INITIATE CONVERSATION). The request is sent for presence information to a presence platform (Fig. 4

–Presence Server) to obtain presence information for another telecommunications user (12). Preferred treatment information (Fig. 4 –preferred treatment) is received from the presence platform (Fig. 4 –Presence Server). A telecommunications session is initiated (Fig. 4 – INITIATE SESSION) with the other user (12) in response to the obtained presence information and the preferred treatment information (Fig. 4 –preferred treatment).

(6) GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1-7 and 9-12 are pending in the application. In the Official Action dated July 26, 2007, the Examiner rejected claims under 35 U.S.C. §102(e) and 35 U.S.C. §103(a). Appellants respectfully traverse these rejections, at least for the reasons stated below.

(7) APPELLANTS' ARGUMENTS

A. THE REJECTION OF CLAIMS 1-4, 6, 10, 11, 13, 14, 16, 17, 20 AND 21 UNDER 35 U.S.C. § 102(e) AS ANTICIPATED BY PESSI et al. (U.S. PATENT PUBLICATION 20040083291) IS IN ERROR

1. PESSI et al.

The rejection of independent claims 1, 10, 13 and 16 is based upon PESSI et al. which is primarily directed to conveying content-specific characteristics related to terminal capabilities and user preferences, which allows content to be adapted for particular terminals in response to the terminal specific information. The rejection primarily relies on paragraphs [0034], [0035],

[0037], [0041], [0046], [0049] and [0123], as well as FIG. 4 of PESSI et al. For the convenience of the reader, FIG. 4 is reproduced below.

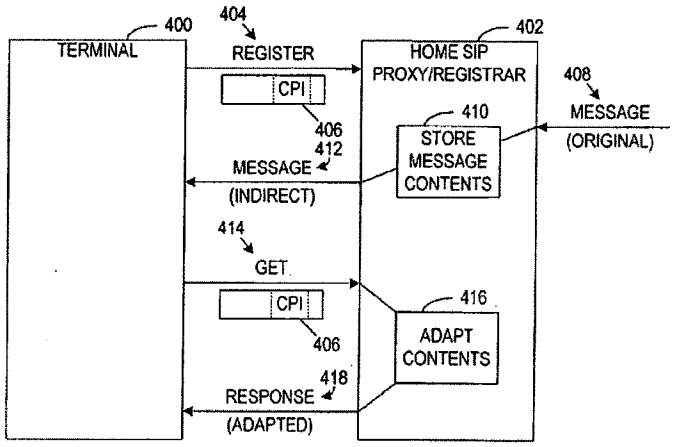


FIG. 4

From FIG. 4, it can be appreciated that the content adaptation requires a terminal 400 to register with a SIP proxy/registrar 402, via a REGISTER message 404. In some cases, Capabilities and user's Preferences Information (hereinafter "CPI") CPI 406 may be sent at this time, such as in the case where the user preferences associated with the CPI 406 indicates that the recipient is not capable of or willing to directly receive the message contents. In other cases, the CPI 406 may not be presented contemporaneously with the REGISTER (or other) message 404. In any event, the SIP registrar 402 stores the registration data. At some time, the SIP proxy 402 (which is co-located with the SIP registrar in this example) receives a new message 408. The proxy 402 decides that it is not able to perform content adaptation for reasons such as those previously identified, or possibly the proxy 402 determines that the *adapted contents* cannot be sent using

SIP. In such cases, the message contents are stored as shown at block 410, and a link to the contents is sent to the recipient's terminal(s) via the "indirect" message 412. Along with this message 412, the need for CPI may be indicated, such as if CPI has not yet been received at the proxy 402. Although PESSI et al. may disclose the use of CPI, it can be appreciated from this description which is taken from paragraph [0049] that PESSI et al. disclose a system that is very different from the invention claimed in, *e.g.*, independent claims 1, 10, 13 or 16.

PESSI et al. disclose that the terminal devices may vary in terminal characteristics, such as, for example, display size and resolution, available memory, or formats that are supported by the terminal devices. *See*, *e.g.*, page 1, paragraph [0002]. Referring to, for example, FIG. 1 through FIG. 6, as well as paragraphs [0041] through [0061], PESSI et al. disclose a desktop computer 106 (in FIG. 1) sending a message (*e.g.*, 216 in FIG. 2; 312 in FIG. 3; 408 in FIG. 4; 506 in FIG. 5; or 601 in FIG. 6) to a destination (target) wireless terminal 116B (in FIG. 1), where the message, in traveling from computer 106 to the destination terminal 116B, is routed through an appropriate network element 124 (in FIG. 1) that has access to a CPI 122 for the destination terminal 116B. The CPI 122 includes information regarding the capabilities and preferences for the wireless terminal 116B. The network element 124, using the CPI 122 associated with the destination terminal 116B, adapts the content of the message (*e.g.*, 218 in FIG. 2; 318 in FIG. 3; 416 in FIG. 4; 514 in FIG. 5; or 604, 612, 618, 624, 630 and 636 in FIG. 6) received from the computer 106 into a format adapted to the preferences and/or terminal capabilities of the destination terminal 116B, before forwarding the adapted message to the destination terminal 116B. The adapted message is forwarded to the destination terminal 116B,

by the network element 124, on the basis of, for example, a contact address for the destination terminal 116B that has been registered in a SIP registrar 204 by the destination terminal 116B. As discussed, for example, at page 4, paragraph [0043], the destination terminal 116B, upon initialization, sends a REGISTER message 206, which includes a SIP uniform resource identifier (URI), which is used by the SIP register 204 to "bind," or associate the user's SIP URI with the terminal the user is currently using, *i.e.*, the destination terminal 116B.

2. THE REJECTION OF THE INDEPENDENT CLAIMS UNDER 35 U.S.C. § 102(e) BASED UPON PESSI et al.

The rejection of claims 1-4, 6, 10-11, 13-14, 16-17 and 20-21 under 35 U.S.C. § 102(e) is based upon PESSI et al. (US 2004/0083291 A1), and it is clearly erroneous. In this regard, PESSI et al. do not disclose each and every element of independent claims 1, 10, 13, or 16. For example, PESSI et al. do not disclose, *inter alia*, comparing a session initiator's identity to preferences of a session terminator (or target), and sending a preferred treatment to a requestor and initiating a session based on the preferred treatment, as required for a *prima facie* rejection based on anticipation of, *e.g.*, independent claims 1, 10 or 13. Furthermore, PESSI et al. do not disclose, *inter alia*, generating a request for presence information in response to a received session request from a session initiator, receiving preferred treatment from a presence platform and initiating a telecommunications session with another user in response to the obtained presence information and the preferred treatment information, as required for a *prima facie* rejection based on anticipation of, *e.g.*, independent claim 16.

PESSI et al. disclose a system and method for conveying terminal capability and user preferences-dependent content characteristics for content adaptation. PESSI et al. provide for communication between diverse terminal devices that may be incompatible with each other. While PESSI et al. disclose a number of embodiments for providing communication between terminals that may be incompatible with each other, the embodiments address the problem of incompatibility between the devices in at least one of two ways, *i.e.*, by using a proxy server to adapt a message from the source terminal device to a format compatible with a destination (target) terminal device and/or by storing the message at the proxy server and forwarding only a link to the destination terminal device. Applicants note that only two of the embodiments, *i.e.*, FIG. 3 and FIG. 6, appear to arguably include a Presence Server. However, PESSI et al. do not disclose comparing a session initiator's identity to preferences of a session terminator (or target), and sending a preferred treatment to a requestor and initiating a session based on the preferred treatment, as required for a *prima facie* rejection based on anticipation of, *e.g.*, independent claims 1, 10 or 13. Furthermore, PESSI et al. do not disclose generating a request for presence information in response to a received session request from a session initiator, receiving preferred treatment from a presence platform and initiating a telecommunications session with another user in response to the obtained presence information and the preferred treatment information, as recited, *e.g.*, in independent claim 16.

PESSI et al. <u>do not disclose</u> comparing a session initiator's identity to preferences of a session terminator (or target), and sending a preferred treatment to a requestor and initiating a session based on the preferred treatment, as required for a *prima facie* rejection based on

anticipation of, *e.g.*, independent claims 1, 10 or 13. Furthermore, PESSI et al. do not disclose generating a request for presence information in response to a received session request from a session initiator, receiving preferred treatment from a presence platform and initiating a telecommunications session with another user in response to the obtained presence information and the preferred treatment information, as recited, *e.g.*, in independent claim 16.

Thus, because PESSI et al. do not disclose each and every element of, *e.g.*, independent claims 1, 10, 13 or 16, the rejection of independent claims 1, 10, 13 and 16 under 35 U.S.C. § 102(e) based on PESSI et al. is clearly erroneous and should, therefore, be reversed.

B. THE REJECTIONS OF CLAIMS 5, 7, 9, 12, 15, 18 AND 19 UNDER 35 U.S.C. § 103(a) AS UNPATENTABLE ARE IN ERROR

1. The Rejection of Claims 5, 7 and 9 under 35 U.S.C. § 103(a) Based on PESSI et al. and LILLIE et al. (US 2004/0131042 A1)

Applicants respectfully traverse the rejection of claims 5, 7 and 9 under 35 U.S.C. § 103(a) based on PESSI et al. and LILLIE et al. (US 2004/0131042 A1) as being clearly erroneous. In this regard, any proper combination of PESSI et al. with LILLIE et al. does not disclose or render obvious each and every element of independent claim 1. For example, any proper combination of PESSI et al. with LILLIE et al. does not disclose or render obvious, *inter alia*, comparing a session initiator's identity to preferences of a session terminator (or target), and sending a preferred treatment to a requestor and initiating a session based on the preferred treatment, as required for a *prima facie* rejection based on obviousness of, *e.g.*, independent claim 1.

2. The Rejection of Claims 12, 15 and 19 under 35 U.S.C. § 103(a) as being Unpatentable over PESSI et al. in view of LEI et al. (US 2004/0203664 A1)

Applicants respectfully traverse the rejection of claims 12, 15 and 19 under 35 U.S.C. § 103(a) over PESSI et al. in view of LEI et al. (US 2004/0203664 A1) as being clearly erroneous. In this regard, any proper combination of PESSI et al. with LEI et al. does not disclose or render obvious each and every element of independent claims 10, 13 or 16. For example, any proper combination of PESSI et al., with LEI et al. not disclose or render obvious, *inter alia*, comparing a session initiator's identity to preferences of a session terminator (or target), and sending a preferred treatment to a requestor and initiating or setting up a session based on the preferred treatment, as required for a *prima facie* rejection based on obviousness of, *e.g.*, independent claims 10 or 13, or render obvious, *inter alia*, generating a request for presence information in response to a received session request from a session initiator, receiving preferred treatment from a presence platform and initiating a telecommunications session with another user in response to the obtained presence information and the preferred treatment information, as required for a *prima facie* rejection based on obviousness of, *e.g.*, independent claim 16.

3. The Rejection of Claim 18 under 35 U.S.C. § 103(a) as being Unpatentable over PESSI et al. in view of HIRI et al. (US 7,123,707 B1)

Applicants respectfully traverse the rejection of claim 18 under 35 U.S.C. § 103(a) over PESSI et al. in view of HIRI et al. (US 7,123,707 B1) as being clearly erroneous. In this regard, any proper combination of PESSI et al. with HIRI et al. does not disclose or render obvious each

and every element of independent claim 16. For example, any proper combination of PESSI et al. with HIRI et al. does not disclose or render obvious, *inter alia*, generating a request for presence information in response to a received session request from a session initiator, receiving preferred treatment from a presence platform and initiating a telecommunications session with another user in response to the obtained presence information and the preferred treatment information, as required for a *prima facie* rejection based on obviousness of, *e.g.*, independent claim 16.

4. The Acknowledged Deficiencies of the Rejections under 35 U.S.C. § 103(a)

The above-noted three rejections in sections 1, 2 and 3 under 35 U.S.C. § 103(a) concede that PESSI et al.: (1) fail to state an INVITE message (*see*, *e.g.*, page 7 of the final Official Action); (2) fail to teach notifying a calling party (*see*, *e.g.*, page 8 of the final Official Action); and (3) fail to teach voicemail (*see*, *e.g.*, page 9 of the final Official Action). The rejections, therefore, rely on: (1) LILLIE et al. only to teach a session initiator initiating a session by sending an INVITE message to a session terminator in order to establish a connection between the points; (2) LEI et al. only to teach an intelligent peripheral that informs an agent of a calling party when a called party rejects a request for a session (instead asking the calling party whether the calling party wishes to leave a message, *see*, *e.g.*, page 8 of the final Official Action and paragraph [0047] in LEI et al.); and (3) HIRI et al. only to teach a voicemail functionality (*see*, *e.g.*, page 9 of the final Official Action). Applicants submit, however, that LILLIE et al., LEI et al. and/or HIRI et al. do not compensate for the above-noted deficiencies found in PESSI et al. That is, LILLIE et al., LEI et al. and/or HIRI et al., whether taken alone or in any proper combination, do

not disclose or render obvious, *inter alia*, comparing a session initiator's identity to preferences of a session terminator (or target), and sending a preferred treatment to a requestor and initiating a session based on the preferred treatment, as set forth, *e.g.*, in independent claims 1, 10 or 13, or generating a request for presence information in response to a received session request from a session initiator, receiving preferred treatment from a presence platform and initiating a telecommunications session with another user in response to the obtained presence information and the preferred treatment information, as set forth, *e.g.*, in independent claim 16.

Thus, because any proper combination of PESSI et al., LILLIE et al., LEI et al. and/or HIRI et al. does not disclose or render obvious each and every element of, *e.g.*, independent claims 1, 10, 13 or 16, the rejections of claims 5, 7, 9, 12, 15, 18 and 19 under 35 U.S.C. § 103(a) based on PESSI et al. in combination with any of LILLIE et al., LEI et al. or HIRI et al. is erroneous, since claims 5, 7, 9, 12, 15, 18 and 19 depend from claims 1, 10, 13 or 16, and are patentably distinguishable for at least the reasons provided above with respect to claims 1, 10, 13 and 16, as well as for additional reasons related to their own recitations.

C. THE REJECTION OF THE DEPENDENT CLAIMS UNDER 35. U.S.C. § 103 IS IN ERROR FOR THE FOLLOWING ADDITIONAL REASONS

1. Dependent Claims 2 and 11

Dependent claims 2 and 11 recite the collection of information. Appellants respectfully submit that none of the cited references disclose the type of collected information claimed by Appellants in claims 2 and 11.

2. Dependent Claims 3, 4 and 15

Dependent claims 3, 4 and 15 recite user agents. Appellants respectfully submit that none of the cited references disclose the type of user agents claimed by Appellants in claims 3, 4 and 15.

3. Dependent Claims 5 and 7

Dependent claims 5 and 7 recite INVITE messages. Appellants respectfully submit that none of the cited references disclose the type of INVITE messages claimed by Appellants in claims 5 and 7.

4. Dependent Claim 9

Dependent claim 9 recites a controller. Appellants respectfully submit that none of the cited references disclose the type of controller claimed by Appellants in claim 9.

5. Dependent Claim 12

Dependent claim 12 recites an intelligent peripheral. Appellants respectfully submit that none of the cited references disclose the type of intelligent peripheral claimed by Appellants in claim 12.

6. Dependent Claims 14, 17 and 20

Dependent claims 14, 17 and 20 recite preferred session parameters. Appellants respectfully submit that none of the cited references disclose the type of preferred session parameters claimed by Appellants in claims 14, 17 and 20.

7. Dependent Claim 18

Dependent claim 18 recites instructions for forwarding voice mail. Appellants respectfully submit that none of the cited references disclose the type of instructions for forwarding voice mail claimed by Appellants in claim 18.

Accordingly, reversal of the rejections of the various dependent claims, based on the failure of the cited references to disclose these additional recited claims features is respectfully requested.

(8). CONCLUSION

The required Appeal Brief Fee in the amount of $510 is attached hereto.

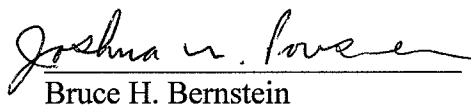
In view of the herein contained arguments, Applicants respectfully request that the decision of the Examiner to reject claims 1-7 and 9-21 set forth in the Official Action dated July

26, 2007, be reversed together with an indication of the allowability of all pending claims. Such action is respectfully requested and is believed to be appropriate and proper.

Should an extension of time be necessary to maintain the pendency of this application, including any extensions of time required to place the application in condition for allowance by an Examiner's Amendment, the Commissioner is hereby authorized to charge any additional fee to Deposit Account No. 19-0089.

If there are any questions concerning this Brief or the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully Submitted,
Stephen Mark MUELLER et al.



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APPENDIX A: – CLAIMS APPEALED

CLAIMS APPEALED

1. A system for providing a presence component in a telecommunications network in which a session to a session terminator is requested by a session initiator upon receiving an instruction from a user, the system comprising:

a presence server configured to receive a request for presence information from a requestor, which is configured to receive a session request from the session initiator and to generate the request for presence information, and to process the request by comparing the session initiator's identity to preferences of the session terminator and sending a preferred treatment to the requestor,

wherein the session is initiated based upon the preferred treatment.

2. The system of claim 1, further comprising:

a collector configured to collect information from the session initiator.

3. The system of claim 2, in which the session initiator further comprises a user agent client that forwards the request to the requestor, and a call user agent client that initiates the session.

4. The system of claim 1, in which the session initiator further comprises a call user agent client that initiates the session and a trigger generator that generates a trigger message.

5. The system of claim 4, in which the session initiator initiates the session by sending an INVITE message to the session terminator based upon the preferred treatment.

6. The system of claim 2, in which the requestor is further configured to request additional information about the session request and process the session request based upon the additional information.

7. The system of claim 1, further comprising:

a session initiation protocol (SIP) proxy server including service logic that receives the session request from the session initiator, wherein the SIP proxy server initiates the session by sending an INVITE message to the session terminator based upon the preferred treatment.

9. The system of claim 1, further comprising:

a session controller configured to control initiation of the session.

10. A system for providing a presence component in a public switched telephone network, the system comprising:

a service control point that receives a query from a service switching point in response to a call origination from a calling party to a called party, the query identifying the calling party and the called party; and

a presence server that receives a request for presence information from the service control point, the request identifying the calling party and the called party, the presence server processing the request by comparing the calling party identity to preferences of the called party and returning a preferred treatment to the service control point,

wherein the service control point instructs the service switching point to establish the call when the preferred treatment indicates that the called party will accept the call.

11. The system of claim 10, further comprising:

an intelligent peripheral that collects additional information from the calling party,

wherein the presence server processes the request based on the additional information.

12. The system of claim 10, further comprising:

an intelligent peripheral that informs the calling party when the preferred treatment indicates that the called party does not accept the call, and the service control point does not instruct the service switching point to establish the call when the preferred treatment indicates that the called party does not accept the call.

13. A system for providing a presence component in a wireless telecommunications network in which a session is requested by a mobile device, the system comprising:

a requestor configured to receive a session request from the mobile device and to generate a request for presence information; and

a presence server configured to receive the request for presence information and to process the request by comparing the mobile device's identity to preferences of a session terminator and sending session set up information to the requestor to set up the session,

wherein the session is initiated based upon the session set up information.

14. The system of claim 13, wherein the requestor resides in the wireless network, the requestor being further configured to request preferred session parameters from the mobile device, the requestor forwarding the session request, including the preferred session parameters to the presence server.

15. The system of claim 14, in which the mobile device comprises:

a user agent client that forwards the session request to the requestor and prompts a user to enter the preferred session parameters, the user agent client receiving the session set up information from the requestor; and

a call user agent client that initiates the session based on the session set up information, which is received from the user agent client.

16. A method for incorporating presence into a telecommunications environment, the method comprising:

receiving a session request from a session initiator in response to a user instruction;

generating a request for presence information in response to the received session request;

sending the request for presence information to a presence platform to obtain presence information for another telecommunications user;

receiving preferred treatment information from the presence platform; and

initiating a telecommunications session with the other user in response to the obtained presence information and the preferred treatment information.

17. The method of claim 16, further comprising:

forwarding preferred session parameters to the presence platform; and

determining the presence information based on the preferred session parameters.

18. The method of claim 16, in which the obtained presence information comprises instructions to forward to voice mail, and

in which the initiating further comprises connecting to the voice mail.

19. The method of claim 16, in which the obtained presence information indicates that the session terminator is unavailable or busy, and

in which the initiating further comprises not initiating the session and informing the session initiator that the session request was rejected.

20. The method of claim 16, in which the preferred session parameters comprise at least one of session type, urgency, and subject.

21. The method of claim 16, further comprising:

requesting additional information about the session request; and

processing the session request based upon the additional information.

APPENDIX B: EVIDENCE

(None)

APPENDIX C: RELATED PROCEEDINGS

(None)